



4/28/04

FINAL PASSAGE

SB 145 (Bishop)

SB 145 would provided a process for a county board of commissioners to transfer jurisdiction of a county road back to the County Road Commission if the road was once under jurisdiction of the bounty road commission and a) the road has been blocked for more than 6 months for no compelling reason, b) the road should not be blocked for reasons of public health, safety or welfare and c) the road is used to serve more than one city or village within the county.

- SB 145 passed [RC 242: 37 yes, 0 no].

SB 599 (BASHAM)

SB 599 would provide that a child of a person employed by a school district could enroll in that district even if it is not the resident district. The child would not have to enroll under schools of choice.

- SB 599 passed [RC 241: 37 yes, 0 no].

HB 4172 (Meyer)

HB 4172 would require a convicted felon to pay the cost of court ordered venereal disease, hepatitis B, hepatitis C, HIV, and AIDS tests. The House substitute clarified that this bill does not preempt the priority list of payments already in statute if the convicted individual has only a limited amount of funds and a list of required payments he/she must make. The substitute also addressed local public health department's concerns that the money collected for the cost of the court-ordered testing be given to the entity that performed the test. Finally, the substitute adds Hepatitis C to the list of tests that may be court-ordered.

- HB 4172 passed with IE [RC 243: 37 yes, 0 no].

THIRD READING

SB 1009 (Cropsey)

SB 1009 would clarify the definition of "false pretenses" to mean a false or fraudulent representation, writing, communication, statement, or message, communicated by any means to another person, that the maker of the representation, writing or communication, statement, or message knows is false or fraudulent. The false

pretense may be a representation regarding a past or existing fact or circumstance or a representation regarding the intention to perform a future event or to have a future event performed.

Support: Prosecuting Attorneys Association of Michigan (PAAM).

- Committee 1 (1 amend) was adopted [no RC]. This adds an effective date of 9/1/04.
- SB 1009 was moved to 3rd Reading.

HB 5026 (Woronchak)

HB 5026 would amend current law regarding intentionally making a false report of the commission of a crime to certain law enforcement officials to include intentionally “causing” a false report to be made. This bill would also expand the list of law enforcement officials that receive a false report to include 9-1-1 operator, or any other governmental employee who was authorized to receive reports of a crime.

Support: Prosecuting Attorneys Association of Michigan and the MI State.

- Committee 1 (3 amends) was adopted [no RC].
- Cropsey 2 (1 amend) was adopted [no RC]. Cropsey amendment would allow a court to order reimbursement to the local government for costs of responding to a false report OR THREAT.
- HB 5026 was moved to 3rd Reading.

HB 5182 (Kooiman)

HB 5197 (Kooiman)

HB 5182 would shorten the time frame from 7 days to 24 hours for eviction notice of tenants of property where controlled substances are manufactured, possessed, or delivered. Currently, the owner or person entitled to the premises can attempt to recover possession 7 days after the tenant failed to vacate after receipt of the written eviction order. This bill shortens the timeframe to 24 hours. This bill also provides that court proceeding for an eviction for drug possession shall be heard at the time of the defendant’s appearance or trial date and not be adjourned beyond that time except for “extraordinary reasons”

- Committee 1 (1 amend) was adopted [no RC]. This adds an effective date of 9/1/04.
- HB 5182 was moved to 3rd Reading.

HB 5197 would allow a landlord to terminate a tenancy by giving the tenant a written 24 hour notice to quit instead of the current 7 day notice requirement in situations where the lease was terminated due to controlled substances being manufactured, possessed or delivered on the premises.

- Committee 1 (1 amend) was adopted [no RC]. This adds an effective date of 9/1/04.
- HB 5197 was moved to 3rd Reading.

HB 5427 (Acciavatti)

HB 5428 (Amos)

HB 5429 (Milosch)

HB 5427 would specify that purchasing, owning, carrying, possessing, using, or transporting an “antique firearm” would not be subject to weapons licensure and safety inspection requirements. “Antique firearm” is defined to mean: 1) a firearm not designed or redesigned for using rimfire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898; or 2) a firearm using fixed ammunition

manufactured in or before 1898, for which ammunition is no longer manufactured in the U.S. and is not readily available in the ordinary channels of commercial trade. Currently, owners of antique handguns must obtain a permit prior to purchase of their weapon and also register the antique handgun with local law enforcement after the purchase.

- Sanborn 1 (2 amends) was adopted [no RC]. Sanborn amendment would refer to this act as the Janet Kukuk act.
- HB 5427 was moved to 3rd Reading.

HB 5428 would remove references to “antique firearms” from current law requiring safety inspections. Current law provides that a person does not need a safety inspection if the person holds a collection of pistols kept “solely” for the display as “antiques”.

- HB 5428 was moved to 3rd Reading. No amendments.

HB 5429 would remove references to “antique firearms” from current law requiring a license to carry, purchase, or transport a firearm. Current law provides that a person does not need a license if the person deals in the business of selling pistols at retail, or to the sale, barter, exchange of pistols kept “solely” as “antiques”.

- HB 5429 was moved to 3rd Reading. No amendments.

HB 5545 (Moolenaar)

HB 5545 would allow certain local units of government to retain \$2.50 per parcel from collections of the State Education Tax. This would apply to local units that otherwise would not levy summer taxes and to counties collecting the SET on behalf of such local units. This would reduce revenues by \$4.2 million.

Support: Dept. of Treasury, MI Township Assn., MI Assn. of Counties, Township Treasurers, MI Municipal League.

- Committee 1 (S-1) was adopted [no RC].
- HB 5545 was moved to 3rd Reading.

HB 5648 (Howell)

HB 5648 would limit the imposition of statutory minimum costs (rest of fee package passed last year) in juvenile proceedings to cases in which other monetary sanctions are imposed, and also give the court discretion to waive costs in cases of undue hardship. The minimum costs are as follows: a) \$60.00 for a felony conviction; b) \$45.00 for a serious misdemeanor conviction; and c) \$40.00 for other misdemeanors. The clerk shall pay to the justice system fund the applicable amount specified as a minimum cost and payment of the minimum state cost is a condition of probation.

Support: Michigan State Court Administrative Office (SCAO).

- HB 5648 was moved to 3rd Reading. No amendments.